

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 11, 26-29, and 36-47 are currently pending. Claims 11, 26-29, 36, 37, and 39 have been amended; and Claims 40-47 have been added by the present amendment. The additions and changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 11, 26-29, and 36-39 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement regarding the term “multifunctional”; and Claims 11, 26-29, and 36-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,880,851 to Imada (hereinafter “the ‘851 patent”) in view of U.S. Patent No. 5,818,900 to Hashimoto et al. (hereinafter “the ‘900 patent”), U.S. Patent No. 4,448,515 to Ishikawa (hereinafter “the ‘515 patent”), U.S. Patent No. 6,353,482 B1 to Abe et al. (hereinafter “the ‘482 patent ”), and U.S. Patent No. 5,602,625 to Okamoto et al. (hereinafter “the ‘625 patent”).

Amended Claim 11 is directed to an operation and display section of an operation unit for an image forming apparatus, comprising: (1) a touch-screen panel substantially centered on the operation unit; (2) numeral keys and an enter key located at a right-hand side of the touch screen panel; (3) a start key having a larger diameter than the numeral keys; and (4) mode selecting means, located to a left-hand side of the touch panel screen, for selecting operational modes of the image forming apparatus. The changes to Claim 11 are supported by the originally filed specification and do not add new matter.¹

¹ See, e.g., Figure 2 and the discussion related thereto in the specification.

Applicants respectfully submit that the rejection of Claim 11 under 35 U.S.C. § 112, first paragraph, is rendered moot by the present amendment to Claim 11. Claim 11 has been amended to no longer recite a multifunctional set/counter key.

Applicants respectfully submit that the rejection of Claim 11 under 35 U.S.C. § 103 is rendered moot by the present amendment to Claim 11. In particular, as noted above, Claim 11 no longer recites a multifunctional set/counter key, but recites mode selecting means for selecting operational modes of the image forming apparatus. However, Applicants will address the patentability of amended Claim 11 with respect to the references cited in the outstanding Office Action.

The '851 patent is directed to an image processing apparatus having a counter key 62 located on the left side of the keyboard/display device 3.² However, as admitted in the Office Action, the '851 patent fails to disclose an enter key. Further, Applicants respectfully submit that the '851 patent fails to disclose mode selecting means, located to a left hand side of the touch-screen panel, for selecting operational modes of the image forming apparatus, as recited in amended Claim 11.

The '900 patent is directed to a communication control device for an image forming apparatus supervising system. However, Applicants respectfully submit that the '900 patent fails to disclose mode selecting means, located to a left hand side of a touch screen panel, for selecting operational modes of the image forming apparatus, as recited in amended Claim 11.

The '515 patent is directed to a copying apparatus having a multicopying mode and a trial key. However, Applicants respectfully submit that the '515 patent fails to disclose mode selecting means, located to a left hand side of a touch-screen panel, for selecting operational modes of the image forming apparatus, as recited in amended Claim 11.

² '851 patent, Figure 3.

The '482 patent is directed to an image forming system having a mode switching switch on an operational unit such that a display screen of the operation unit is switched in correspondence with the selected mode. In particular, the '482 patent discloses that an operation mode switching switch 304 is arranged near the numeric keypad 302 to the right hand side of the display panel 301. Further, the '482 patent discloses that depressing the operation mode switching switch 304 causes the system to toggle between the display shown in Figure 3 and the display shown in Figure 11. However, Applicants respectfully submit that the '482 patent fails to disclose mode selecting means located to a left-hand side of the touch-panel screen for selecting operational modes of the image forming apparatus, as recited in Claim 11. In particular, Applicants note that the '482 patent discloses that the copy, fax, file, and printer keys are located within the touch-panel screen, and not to a left-hand side of the touch-panel screen.

Further, Applicants respectfully traverse the Official Notice on page 5 of the Office Action that "function keys of an image forming apparatus being positioned in a number of different arrangements relative to each other is well known in the art," and request that the Examiner provide evidence to support that assertion. In particular, Applicants respectfully submit that it is not well known in the art to have mode selecting means located to a left-hand side of a touch-screen panel for selecting operational modes of an image forming apparatus, as recited in Claim 11.

Claim 36 recites limitations analogous to the limitations recited in Claim 11. Moreover, Claim 36 has been amended in a manner analogous to the amendment to Claim 11. Accordingly, for the reasons stated above for the patentability of Claim 11, Applicants respectfully submit that the rejection of Claim 36 is rendered moot by the present amendment to that claim.

Independent Claims 37 and 39 recite limitations analogous to the limitations recited in Claim 11. In particular, Claims 37 and 39 recite a copy key, a copy server key, and a printer key arranged at a left-hand side of a touch-screen panel. Moreover, Claims 37 and 39 have been amended to no longer recite a multifunctional set/counter key. Accordingly, Applicants respectfully submit that the rejections of Claim 37 (and dependent Claim 38) and Claim 39 are rendered moot by the present amendment to those claims.

The present amendment also sets forth new Claims 40-47, which depend from Claim 11, for examination on the merits. Dependent Claims 40-47 further define the operation and display section recited in Claim 11. Further, Applicants note that Claims 26-29 have been amended to depend from new Claim 42.

Thus, it is respectfully submitted that independent Claims 11, 36, 37, and 39 (and all associated dependent claims) patentably define of any proper combination of the '851, '900, '515, and '482 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Kurt M. Berger

Gregory J. Maier
Attorney of Record
Registration No. 25,599
Kurt M. Berger, Ph.D.
Registration No. 51,461

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)

GJM/KMB/law

I:\ATTY\KMB\0557\05574557\05574557-AM2.DOC